
 <p>ADMINISTRATIVE POLICIES AND PROCEDURES State of Tennessee Department of Correction</p>	Index #: 505.08	Page 1 of 6
	Effective Date: August 15, 2002	
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Approved by: 		
Subject: COMMUNITY SERVICE WORK PROJECTS		

- I. AUTHORITY: T.C.A. 4-3-603, T.C.A. 4-3-606, T.C.A. 62-6-102.
- II. PURPOSE: To establish uniform procedures for the provision of community service work.
- III. APPLICATION: To all Tennessee Department of Correction (TDOC) institutional employees, inmates, and privately managed institutions.
- IV. DEFINITIONS:
  - A. Community Service Crew: A specific group of up to fifteen (15) minimum direct or minimum trusty inmate workers assigned to provide services to the community, state, local, and federal government agencies, and not for profit organizations under either TDOC or agency supervision.
  - B. Community Service Hours: Amount of inmate work hours contributed to community service programs performed either on or off institutional property.
  - C. Community Service Program Coordinator: Institutional staff member designated by the warden to coordinate, monitor, and report the monthly progress of all community service work crews assigned to a specific institution.
  - D. Community Service Programs: For the purpose of this policy, the provision of inmate workers to state, local, and federal government agencies and not for profit organizations (i.e., highway maintenance, construction, manual labor, public speaking, etc.).
  - E. Violent Offenses: As referenced in the Classification User's Guide, Appendix 6.
  - F. Work Line: A group of minimum restricted or higher custody inmates working outside the secure confines of a facility under armed supervision.
- V. POLICY: The TDOC shall provide work crews to not for profit organizations and state, local, and federal government agencies whenever possible, based on the security and support needs of each institution as well as inmate availability.
- VI. PROCEDURES:
  - A. General:
    1. Wardens shall designate a staff member to coordinate community service/work line crews and projects. The community service program coordinator shall be responsible for ensuring policy compliance, monitoring, and reporting of all community service programs to the Director of Community Service Work Projects.

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2. All facilities shall operate community service programs except those excluded by the Assistant Commissioner of Operations.

B. Inmate Eligibility:

1. Inmates with non-violent offenses shall be given first consideration for placement on community service crews. Inmates assigned to pre-release programs, technical probation and parole violator programs, and Wayne County Boot Camp may be placed on community service crews regardless of offense.
2. Inmates classified as minimum custody, regardless of the offense, must be within 10 years or less of their earliest release date to be eligible for assignment to community service work crews. Inmates with violent offenses may be considered for community service work crews (See Policy #404.07 and Policy #9404.07 for privately managed facilities for MD/MT crew eligibility.) or work line placement only after a thorough review of the following:
  - a. Custody level
  - b. Availability of inmates with non-violent offenses
  - c. Type of offense
  - d. Amount of time served on sentence
  - e. Fifteen (15) years or less to RED regardless of custody level for work line placement. All inmates who are assigned prior to August 1, 2002, will be grand fathered.
  - f. Institutional disciplinary record
  - g. Institutional needs
  - h. Specialized skills
3. Inmates with violent offenses placed on community service or work line crews which will be performing community service work off of institutional property shall be approved for placement in writing by the warden/designee. The institutional inmate jobs coordinator (IJC) shall maintain a copy of the approval in the inmate's job file (Volume 4, program file, of the inmate institutional record).
4. No inmate sentenced to life without parole shall be eligible for assignment to a work line crew working outside the secure perimeter of an institution.
5. Prior to placement of inmates with violent offenses on community service/work line crews, law enforcement agency notifications will be submitted in accordance with Policies #505.07, #511.01 and #9511.01 for privately managed facilities.

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C. Supervision:

1. Supervision of inmate workers on community service/work line crews will be in accordance with the guidelines established in Policy #506.01 and #9506.01 for privately managed facilities. Minimum direct and minimum trusty ratios of inmates to staff should not exceed fifteen (15) to one (1). Armed work crews leaving institutional property for the purpose of community work projects require the prior approval of the Assistant Commissioner of Operations.
2. Approval of non-TDOC inmate work supervisors will require appropriate training by TDOC/CCA personnel in regard to supervision requirements of inmates. This training shall also include how the agency will deal with emergency situations involving inmate workers. A minimum of two (2) hours of such training must be documented prior to supervising a crew, with in-service training as needed to be current.
3. Any situation concerning the safety and security of the staff, community, inmate crew, community, staff, or which may result in media attention, shall be reported in accordance with Policies #103.02 and #103.04.
4. Inmates will be kept away from the general public as much as possible. Inmate meals will generally be taken in areas not frequented by the general public. Inmates will not be taken to parks, interstate rest areas, etc., unless their work is in that area.

D. Job Sites:

1. Non-TDOC agencies requesting community service/work line crews shall submit a written request to the warden/designee specifying the following:
  - a. Type of work to be performed
  - b. Number of inmate workers needed, estimated time required to complete job, and if permanent crew is requested
    - (1) The number of inmate workers participating on any work project will be left to the discretion of the warden/designee.
    - (2) The requesting agency is only required to send an initial letter requesting inmate workers on a permanent basis for inmate crews assigned to highway maintenance, street cleaning, and litter pick-up, regardless of work locations.
  - c. Location and contact person
  - d. Materials/equipment supplied by requesting agencies or organizations
  - e. Transportation and meal arrangements

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- f. Supervision of inmates.
2. Materials, supplies, and specialized equipment required for any project would be the responsibility of the requesting agency or organization.
3. All potential job sites shall be visited, when possible, and evaluated prior to the warden/designee's decision to perform the requested work. Schools and agencies dealing with child care requesting inmate work crews shall only be considered when schools/agencies are not in session (i.e., weekends, spring break, summer vacation, etc.). Work on the premises while students/children are present requires prior written approval from the Assistant Commissioner of Operations.
4. The warden/designee will notify the requesting agency or organization of intended participation, in writing, and a copy of the request and decision shall be forwarded to the Director of Community Work Projects.
5. Emergency requests for services (i.e., natural disaster, clean-up, etc.) shall be handled on a case-by-case basis and shall require a follow-up letter providing detailed information and outcome to the warden. The warden shall forward copies to the Director of Community Work Projects.
6. Any community work project for non-profit agencies involving the use of inmates for construction/remodeling undertakings for which the total cost is \$25,000 or more on a per project basis shall be set forth in a written agreement with TDOC. Such agreement shall be in the form of a contract, an example of which is included with this policy. (Note: This is only a sample. Actual contract contents will vary depending upon agency and agreed terms.
7. Only short-term projects for non-profit organizations of less than 90 days duration should be encouraged. Projects for non-profit organizations of a duration exceeding 90 days will require the approval of the Director of Community Work Projects and must have a written contract in place if the total cost of the project is estimated to be \$25,000 or more. The warden will determine the feasibility of a contract and, if a decision is made that a contract is necessary, will approve the contract and forward it to the Director of Community Work Projects.
8. It will be the responsibility of the non-profit or government agency requesting the project (procuring agency) to have a coordinator familiar with local, city county, and state building codes remain on site and provide instruction and direction to the crew supervisor.
9. On any project requiring a contract, the following statement shall be included: The procuring agency shall comply with all local municipal, state and federal statutes, rules, regulations, or ordinances relative to the project.
10. Inmate crews shall not be placed on a work site at a school, day care, community center, or any site where minors are usually present unless the principal, county school superintendent, director, or supervisor has submitted a signed statement/letter

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to the warden or institutional work line coordinator that he/she understands that minors or activities will not be on the premises while the work crew is present.

E. Clothing and Safety Equipment:

1. All inmates assigned to community service crews and work lines will be clothed in accordance with Policy #504.05.
2. Orange baseball-style caps or orange toboggans and stenciled orange safety vests will be issued and worn at all times in addition to the protective wear outlined in Policy #504.05. The issuance of hard hats, orange if possible, for inmate workers on construction crews will be left to the discretion of the institution, but must comply with applicable TOSHA mandates.
3. Facilities shall request approval, in writing, from the Assistant Commissioner of Operations for community service/work line crews requiring special apparel (i.e., non-stenciled clothing).
4. All community service/work line crews working on highways, interstates, rural roads, vehicular traffic ways, or other areas deemed appropriate by the institutional community service program coordinator shall follow state, local, and federal rules, regulations, and safety precautions, including those stipulated in Policy #112.02.
  - a. Signs will be placed indicating the presence of a work crew. Wording for all signs requires the approval of the Director of Community Work Projects.
  - b. All litter and interstate crew vehicles shall have at least one (1) orange flasher attached to the vehicle.
5. The work crew supervisor shall ensure all equipment needed to complete the assigned task (i.e., lawn mowers, chain saws, etc.) is in proper working condition and all safety devices are attached. Inmate workers will be provided a minimum of two (2) hours of safety instructions before operating any equipment. This training shall be documented and maintained in the inmate's job file (Volume 4, program file of the IIR).
6. The warden/designee shall ensure that personnel transporting inmates or operating specialized vehicles shall have appropriate authorization and vehicle operator licenses.

F. Jobs Assignments:

1. Job assignments, terminations, etc., will be completed in accordance with Policy #505.07. Inmates providing community service work on other than a community service crew will not necessarily perform under the "Community Service Worker" (CSWK) job title. Job titles shall reflect actual services provided according to job descriptions (i.e., stock clerk at a community food bank, etc.).

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2. Pay will be based on the pay/skill level of the job title according to Policy #504.04.
3. Any job requiring specialized equipment may be conducted only by inmates who have completed training in their use, including safety precautions as outlined in Section VI.(E)(5) of this policy.

G. Reporting Requirements:



1. The Director of Community Work Projects shall develop a format for the reporting of community service activities. This report shall be submitted to the Director of Community Work Projects by the 10th day of each month for the preceding month.
2. Upon completion of each community service project, a Community Service Project Survey (CSPS) shall be completed by the receiving agency/ organization, indicating their assessment of services provided. If the project is scheduled for an extended period of time, the survey will be conducted upon completion or no less than annually, whichever is first.
3. The monthly Inmate Activity Report shall be submitted to the central office inmate jobs specialist in accordance with Policy #505.07. Differing reporting requirements may create apparent differences between this report and the report submitted monthly to the Director of Community Work Projects.

H. Monetary Reimbursement:

1. State, local, and federal government agencies and not for profit organizations shall negotiate written agreements for TDOC to provide community service program participation. These written agreements shall be in accordance with the guidelines established by the institution and requesting agency, and shall include stipulations as to the applicability of the following:
  - a. Inmate pay
  - b. Meals
  - c. Transportation
  - d. Staff salaries and benefits
  - e. Supplies.
2. State agencies shall be charged for expenses related to inmate work crews in accordance with the guidelines established by the TDOC.

VII. ACA STANDARDS: 3-4398, 3-4401.

VIII. EXPIRATION DATE: August 15, 2005.

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POLICY CHANGE NOTICE 03-32

INSTRUCTIONS:

In Section VI.(B)(2), change the second sentence to read as follows:

“Inmates with violent offenses may be considered for community service work crews (See Policy #404.07 and Policy #9404.07 for privately managed facilities until it is incorporated into Policy #404.07.) or work line placement only after a thorough review of the following:”

Please change Section VI.(B)(5) to read as follows:

- “5. Prior to placement of inmates with violent offenses on community service/work line crews, law enforcement agency notifications will be submitted in accordance with Policies #505.07, #511.01 and #9511.01 for privately managed facilities until it is incorporated into Policy #511.01.”

In Section VI.(C)(1), first sentence, please eliminate the phrase “and #9506.01 for privately managed facilities.”